

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA  
Plaintiff

v.

RICARDO RIVERA-ASTACIO  
Defendant

Criminal No. 08-0071-01 (ADC)

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Before the Court is an unopposed Report and Recommendation issued by Bruce McGiverin, U.S. Magistrate Judge on July 29, 2008. (**Docket No. 29**). In said Report and Recommendation the Magistrate-Judge recommends that: defendant **Ricardo Rivera-Astacio** be adjudged guilty of the offenses charged in Count One (1) (21 U.S.C. Sections 952 and 960), inasmuch as, his plea of guilty was intelligently, knowingly and voluntarily entered.

Neither party has filed objections to the Magistrate-Judge's Report and Recommendation within the time frame provided by the Federal Rules of Criminal Procedure and this Court's Local Rules. See Fed. R. Crim. P. 11; 28 U.S.C. § 636(b)(1)(B); D.P.R. Local Crim. R. 147(b).

After reviewing the record, the Court agrees with the arguments, factual and legal conclusions within the Report and Recommendation. Therefore, the Court hereby **APPROVES** and **ADOPTS** the Magistrate-Judge's Report and Recommendation in its entirety.

Accordingly, a judgment of conviction is to be entered as to Count One (1) of the indictment in the above-captioned case.

**The sentencing hearing is set for October 7, 2008 at 11:30 a.m.**

**IT IS SO ORDERED.**

At San Juan, Puerto Rico, this 20<sup>th</sup> day of August, 2008.

**S/AIDA M. DELGADO-COLON**  
**United States District Judge**